

# Settler's Creek HOA Special Board Meeting Notice

**Date: Thursday, July 8, 2010**

**Time: 6:30 PM**

**Location: 3092 N Fulmer Circle, Tallahassee, Florida 32303**

- **Please RSVP by Wednesday, July 7, 2010, to Audrey Copeland at (850) 294-8575 or e-mail AudreyTCopeland@Gmail.com**

Board Meeting Purpose: To vote on a Property Management Company.

Facilitator: Audrey Copeland, President of Settlers Creek HOA

## Invitees:

Audrey Copeland, President of Settlers Creek HOA

Emilia Murphy, Vice President of Settlers Creek HOA

Barbara McTamney, Secretary/Treasurer of Settlers Creek HOA

All Owners

## Agenda

Sign In

Proof of notice of meeting

Reading & Approval of previous minutes for the following: April 27 & May 27, 2010

Reports Review

- HOA Financial Review
- HOA Collection Update

Vote for Property Management Company

New Business

- Summer Social Pot Luck for the Fall
- Beautification Committee Updates
- Nominations for SCHOA Board Secretary

Adjournment

Comparison of Property Management Companies

June 2010

	A	B	C	D
1		<b>Kelly's Management</b>	<b>Management South</b>	<b>Lewis Property Management</b>
2	<i>Contact name</i>	Kelly Rojas	Joe Taylor/Sharla Harvey	Cheri Lewis Garbark
3	<i>email</i>	kelly@kellysmanagement.org	sharvey@managementsouth.net	cherigarbark@yahoo.com
4	<i>Phone</i>	298-8575	425-1355/321-0501	668-1173
5	<i>Certifications</i>	Certified Property Manager #30852	Certified Property Manager	Certified Property Manager #33067
6	<i>Pricing</i>	\$2 per door per month	\$5 per door, per month	\$350 per month, \$500 one time fee, 6% increase each year, \$25 per hour for additional projects
7	<i>How many work there</i>	5	75, 1 person would be assigned to your HOA with 2 back-ups	2
8	<i>Sample Contract</i>	1 year, 60 days notice to cancel	1 year,	month to month, fees if dropped before 1 year
9	<i>Qualifications</i>	Masters Business Admin, Bachelors Public Administration	notary public, journeyman cert, pool certification, property manager, HVAC Certified, food safety manager, storm water management inspector,	Realtor
10	<i>Years of experience</i>	26 years of general management, 20 HOAs,	13 years for HOA, 8 property management, 45 years in maintenance issues	18 years project mngt, budgeting and board oversight for statewide organization, 4.5 years community mngt
11	<i>Opened in</i>	2 years	4 years	4 years
12	<i>Currently manages</i>	8 HOAs/COA	4 COA	6 HOAs
13	<i>References Problems addressed</i>	entrance, common areas and budgeting, planning for perm roadway, Financial turn arounds, personally contacts homeowners delinquent on their dues, removed trees, road work, lawncare turnarounds,	collection of unpaid dues, filing liens, architectural committee that will clearly define expectable standards and require approval	For the most part the major conflicts I have had to deal with are violations with the Covenants & Restrictions. In one neighborhood I had a resident running a mechanic shop in his front yard. I met with the owner face to face who disputed the allegations. I then sent him a letter informing him that he was in violation of the C & R's. I then began gathering information. I had neighbors write letters testifying that they witnessed him taking in different cars at different times. I took photos over a two month period of different vehicles in his yard and documented the cars & descriptions. I then reported him to code enforcement who then started their own investigation. He is now on probation with the county for the next six months and has stopped his mechanic work in the neighborhood. I also have increased revenue to all my HOA's by 40% by several tactics I have set in place.
14	<i>Process for prioritizing issues</i>	Evaluate emergency vs. time sensitive vs. non-Emergency Needs, Assign appropriate department for response, Track and Follow Up	review records for 6 weeks to prioritize needs and understand the characteristics of our properties and assoc	First I asses the financial situation, and begin with collecting dues. Once that is underway, I go street to street assessing who is in violation and taking care of those issues.
15	<i>Insurance</i>	Directors and Officers Liability insurance and fidelity bond covers all officers, board members and mngt company. Paid for by association	Directors and Officers Liability insurance and fidelity bond covers all officers, board members and mngt company. Paid for by association	Directors and Officers Liability insurance and fidelity bond covers all officers, board members and mngt company. Paid for by association
16	<i>Services</i>	organize meetings, record and transcribe minutes, stores paperwork, files taxes, maintain reserve accounts, monitor contractors, report continued violation of rules, collect dues, maintain assoc bank accounts, keep financial records,	budget, accounting data, makes fiscal projections, investigates accounting discrepancies, rental property services, meet with vendors/contractors, credit card payment options, , marketing and sales team, annual cost reductions, quotes, financial reports, inspections, HOA dues, retain documents, plan for future needs/projects; Takes digital minutes and type up report	Financial mngt, meeting mngt, maintenance, admin, record keeping, saves money, working relationships with attorneys, engineers, CPAs, insurance companies, saves average 3% a year by vendors, does not take minutes unless requested
17	<i>Audited</i>	Not regularly	Not regularly	not regularly
18	<i>Regular Visits. How often?</i>	weekly unless special project	bi-weekly	At least once a week if not twice, or depending if there is a major issue affecting the neighborhood it might be more.
19	<i>Attorney</i>	Board appointed	Board appointed	Board appointed
20	<i>Software used</i>	QuickBooks Pro	QuickBooks Pro	QuickBooks Pro
21	<i>Help plan Community Events</i>	Yes	Yes	I help plan, coordinate and attend all community events as long as it does not conflict with existing HOA's events. There may be times I can not attend due to the scheduling of other Associations that have the same events each year; however I still plan and coordinate the events for the Association and usually if I can not attend I have my Partner Margaret attend on my behalf.
22	<i>Manage website</i>	Yes	yes	Yes, \$50 per month for 5 hours
23	<i>Extras</i>		Rental Programs	
24	<i>Once the HOA's bank balance is depleted, how will you collect your monthly payment</i>	Management should ensure that funds are not depleted. If money is tight, the board and management company should revisit the budget to identify and agree upon priority and cut as needed. HOA may have to increase payments slightly when funds are available to catch up on payments to manager.	If there is no monies in the association account we have not done our job successfully and we would have been somewhat prepared and seen it coming as we reconcile our accounts monthly. In that event this does occur we would have time to special assess.	I wait for until more money comes in to pay myself retroactively, but tries really hard to get the money in to sustain the HOA and my fees and make sure all the bills are paid before I pay myself
25	<i>Will you keep a % of collected past dues either by invoicing or placing liens?</i>	Never.	The only thing we would obtain for the past due assessments, is a standard fee of \$45.00 for each lien filed	does not keep any money of collected dues, only my month fee as stated in the contract. I work really hard to get the money in or I don't get paid.
26	<i>Roberts Rules of Order?</i>	Yes, provides guidelines	First the association must adopt Roberts Rules of Order by vote of the board, then they could be implemented.	no answer
27	<i>how do you plan reclaim unpaid dues?</i>	small claims court	As set forth in the FI Statue a 30 day notice is sent with a statement of unpaid assessments, if unpaid within the 30 days a lien is filed with the courts, and then board elects could elect to send a letter of intent to foreclose for unpaid assessments. A line item in the annual budget can be included (example: \$500.00 bad debt) for past due assessments, this will not negate the responsibility of the past due for the homeowner, just "make up" for due not paid. Lien and foreclosure call still be filed. This has proved to be successful with other associations	have a partnership with a local Attorney for collection of dues without costing the HOA for liens. Set up payment plans for those who have larger balances and have attorney draft up a letter of agreement. if homeowner misses a payment or remains behind, we foreclose on the property. There is no cost to the HOA for letter of agreement and attorneys time is free. HOA should have general liability insurance to cover all general area property and I highly recommend that the board has directors and officers liability insurance as well.

Comparison of Property Management Companies

June 2010

	A	B	C	D
28	<p><i>How will you handle a neighbor using the culd-a-sac for storing extra vehicles for extended periods of time.</i></p>	<p>A letter would be sent to the owner/tenant, a copy of the page in the docs that addresses the infraction, and provides a deadline to comply. Then fine the owner/tenant.</p>	<p>Page 3 section 3 of Parking quoted from Covenant and restrictions says "Overnight parking by owners and their guest shall not be permitted on the roadway easement but shall be restricted to garages, driveway or designated parking pads located on the lot" COT code department states for city maintained roads that when they receive a call about said violation they would ticket the vehicle then return within 72 hrs if it is not moved have it towed at the owners expense.</p>	<p>First I would figure out why the vehicles are there for extended periods of time, then I would meet the owners in person, then a letter to follow up the conversation.</p>
29	<p><i>How would you handle homes with renters who don't pay HOA dues</i></p>	<p>There are currently no laws for HOAs to enforce owners to pay when their homes are rented out. Non payment would be addressed by a call, letter, warning letter and then liens/small claims court or foreclosure proceedings.</p>	<p>The association should follow the lien process, suspension of rights but can elect to get receivership of the rent, there has been some success in the courts as to obtaining a blanket receivership for associations with past due assessments. This would cost around 2 to 3 thousand in legal fees, so it just depends on how much is owed.</p>	<p>I Can have renters pay HOA dues if owner hasn't paid them.</p>
30	<p><i>How would you handle leaves and limbs in ditches, trash cans in from of homes, big dogs running around,</i></p>	<p>Same approach as the vehicle question above. I would call animal control on the animal.</p>	<p>Page 6 section 21 of covenant and restrictions " .....Settlers Creek HOA shall have the right to maintain any lot wither built on or not which is not maintained to the standard of the neighborhood. The lot owner shall be responsible for and subject to a lien to cover the cost of such maintenance for the association" Correspondence would go out for documentation of violation, given a 7 day grace period and then would elect to perform the maintenance on behalf of the owner. For the dog, a report would be made to animal control</p>	<p>This would be handled by face to face meeting and address "of the area of concern" followed by a letter for documentation.</p>
31	<p><i>How would you handle speed bumps</i></p>	<p>If roads are privately owned, you will need to get quotes/proposals for the cast to install speed bumps.</p>	<p>The association would follow the COT guidelines by making request with requirements from traffic control since the association roads are city maintained, and follow their procedures ands guidelines set forth.</p>	<p>no answer</p>
32	<p><i>How soon do you respond to calls</i></p>	<p>within 2 hours.</p>	<p>Within 24 hrs - wither its by e-mail or return call</p>	<p>24 hours</p>
33	<p><i>How do you get in touch with problem homeowners</i></p>	<p>by phone and letters, do not go door to door.</p>	<p>Either in person or by phone, with a follow-up in writing</p>	<p>face to face contact followed by letter, fines assessed to property</p>

If you would like this information e-mailed to you, please contact [audreytcopeland@gmail.com](mailto:audreytcopeland@gmail.com).

June 18<sup>th</sup>, 2010

## SCHOA Treasurers Report

The current bank account balance is ..... **\$6730.41**     **Balance**

2009 income from dues was .....\$5025.

To date for 2010 we received \$3569 in dues including finance charges.

There is \$10,547.62 in unpaid dues (a list is available for viewing). Based on past years trends, the projected income for remainder of 2010 = \$1456 which will bring the estimated bank balance after income for 2010 to **\$8186.41**

Total expenses for 2009 were **\$4748.77**

Leaving a net income of \$276.23 for that year

So far this year we have paid out \$1386.42. The P&L is available for viewing.

David Donaldson of Fulmer Circle volunteered to maintain our website and has saved us \$335.75 annually for the cost of the website.

Our projected cash balance of **\$8186.41**

- less estimated Expenses **\$3026.60**

\$4748.77 – \$335.75 that we do not have to spend for the website

- \$1,386.42 already paid expenses YTD

will leave us with **estimated** expendable cash amount of **\$5159.81 for 2010**. This does not include the cost for Liability Insurance that has been brought up by the board but not yet researched.

The property management company we choose will have a significant impact on our budget and our future dues. Lewis Mgmt has a 1x setup fee of \$500. I included it in the calculations below based on our current dues structure of \$25/year.

	<b>Lewis</b>	<b>Kelly</b>	<b>Mgmt South</b>
\$ per unit per month	\$1.59	\$2.28	\$5.00
\$ Jun – Dec 2010	\$2,937.47	\$3,495.24	\$7,665
Bank balance Dec 2010	\$2722.34	\$1664.57	<b>-\$2505.19</b>
Est. cost for 2011	\$4,178.52	\$5,991.84	\$13,140.00

We don't start collecting dues for 2011 until March or April. It will be necessary to keep a positive balance in the account to continue paying the management company for those first few months of the year.

Prepared by Mrs. Barbara McTamney  
SCHOA Treasurer

LIMITED PROXY

The undersigned, owner(s) or designated voter of (enter address) \_\_\_\_\_  
\_\_\_\_\_ of Settler's Creek Neighborhood appoints \_\_\_\_\_ or, if no name is filled  
in, the Secretary of the Settlers Creek Homeowners Association, Inc., a Florida not-for-profit corporation  
("Association") as my proxy holder to attend the Special Board Meeting of the Association to be held at 6:30 p.m.  
on Thursday, the 8<sup>th</sup> of July, 2010, at 3092 N Fulmer Circle, Tallahassee, Florida 32303. The proxy holder named  
above has the authority to vote and act for me to the same extent that I would if personally present, with power of  
substitution.

Limited Power

\_\_\_\_\_ I hereby authorize and instruct my proxy to use his/her best judgment on the choice of the SCHOA  
Management Company.

Date: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S) OF OWNERS(S)  
OR DESIGNATED VOTER

SUBSTITUTION OF PROXY HOLDER

The undersigned, appointed as proxy holder above, designates \_\_\_\_\_ to substitute for me in  
voting the proxy set forth above.

\_\_\_\_\_ Date \_\_\_\_\_

THIS PROXY IS REVOCABLE BY THE UNIT OWNER AND IS VALID ONLY FOR THE MEETING FOR  
WHICH IT IS GIVEN AND ANY LAWFUL ADJOURNMENT. IN NO EVENT IS THE PROXY VALID FOR  
MORE THAN NINETY (90) DAYS FROM THE DATE OF THE ORIGINAL MEETING FOR WHICH IT WAS  
GIVEN

SETTLERS CREEK HOMEOWNERS ASSOCIATION

Voting Certificate

*(This form must be filed for any lot where there is multiple ownership, partnership ownership, or corporate ownership.)*

*TO: Secretary, Settlers Creek Homeowners Association*

\_\_\_\_\_ is hereby designated as the person entitled to cast the vote for (address)  
\_\_\_\_\_, effective date \_\_\_\_\_, until  
revoked or superseded in writing or by a subsequent certificate filed with the Secretary of the Association.

SIGNATURES

*Multiple Ownership:*

*or*

*Corporate or Partnership Ownership:*

\_\_\_\_\_  
*Record Owner*

\_\_\_\_\_  
*President or Vice President*

\_\_\_\_\_  
*Record Owner*

\_\_\_\_\_  
*Secretary*

Please return form to Audrey Copeland: 3092 N Fulmer Circle, Tallahassee, FL 32303, no later  
than Wednesday, July 7, 2010.

**BALLOT FOR VOTE ON SCHOA MANAGEMENT COMPANY**

The undersigned, owner (s) or designated voter of address:  
\_\_\_\_\_, of Settlers Creek  
Neighborhood, specifically vote in reference to the following matters only as  
indicated below:

**Please indicate the Management Company you prefer:**  
*(check only one)*

- Kelly's Management
- Management South
- Lewis Property Management

**\*Please return the ballot by 7/7/2010, via e-mail at  
[audreycopeland@gmail.com](mailto:audreycopeland@gmail.com) or via mail to 3092 N Fulmer  
Circle, Tallahassee, Florida 32303.**

Date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S) OF OWNER(S)  
OR DESIGNATED VOTER